

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 1378

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## AN ACT

To amend the National Historic Preservation Act to provide appropriation authorization and improve the operations of the Advisory Council on Historic Preservation.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. NATIONAL HISTORIC PRESERVATION ACT**  
2 **AMENDMENTS.**

3 (a) **SHORT TITLE.**—This Act may be cited as the  
4 “National Historic Preservation Act Amendments Act of  
5 2006”.

6 (b) **REFERENCE.**—A reference in this Act to “the  
7 Act” shall be a reference to the National Historic Preser-  
8 vation Act (16 U.S.C. 470 et seq.).

9 (c) **HISTORIC PRESERVATION FUND.**—Section 108 of  
10 the Act (16 U.S.C. 470h) is amended by striking “2005”  
11 and inserting “2015”.

12 (d) **MEMBERSHIP OF ADVISORY COUNCIL ON HIS-**  
13 **TORIC PRESERVATION.**—

14 (1) **ADDITIONAL MEMBERS.**—Section 201(a)(4)  
15 of the Act (16 U.S.C. 470i(a)(4)) is amended by  
16 striking “four” and inserting “seven”.

17 (2) **ALLOWING DESIGNEE FOR GOVERNOR MEM-**  
18 **BER.**—Section 201(b) of the Act (16 U.S.C. 470i(b))  
19 is amended by striking “(5) and”.

20 (3) **QUORUM.**—Section 201(f) of the Act (16  
21 U.S.C. 470i(f)) is amended by striking “Nine” and  
22 inserting “12”.

23 (e) **FINANCIAL AND ADMINISTRATIVE SERVICES FOR**  
24 **THE ADVISORY COUNCIL ON HISTORIC PRESERVATION.**—  
25 Section 205(f) of the Act (16 U.S.C. 470m(f)) is amended  
26 to read as follows:

1       “(f) Financial and administrative services (including  
2 those related to budgeting, accounting, financial reporting,  
3 personnel and procurement) shall be provided the Council  
4 by the Department of the Interior or, at the discretion  
5 of the Council, such other agency or private entity that  
6 reaches an agreement with the Council, for which pay-  
7 ments shall be made in advance or by reimbursement from  
8 funds of the Council in such amounts as may be agreed  
9 upon by the Chairman of the Council and the head of the  
10 agency or, in the case of a private entity, the authorized  
11 representative of the private entity that will provide the  
12 services. When a Federal agency affords such services, the  
13 regulations of that agency for the collection of indebted-  
14 ness of personnel resulting from erroneous payments (5  
15 U.S.C. 5514(b)) shall apply to the collection of erroneous  
16 payments made to or on behalf of a Council employee and  
17 regulations of that agency for the administrative control  
18 of funds (31 U.S.C. 1513(d), 1514) shall apply to appro-  
19 priations of the Council. The Council shall not be required  
20 to prescribe such regulations.”.

21       (f) APPROPRIATION AUTHORIZATION OF THE ADVI-  
22 SORY COUNCIL ON HISTORIC PRESERVATION.—Section  
23 212(a) of the Act (16 U.S.C. 470t(a)) is amended by  
24 striking “for purposes of this title not to exceed  
25 \$4,000,000 for each fiscal year 1997 through 2005” and

1 inserting “such amounts as may be necessary to carry out  
2 this title”.

3 (g) EFFECTIVENESS OF FEDERAL GRANT AND AS-  
4 SISTANCE PROGRAMS IN MEETING THE PURPOSES AND  
5 POLICIES OF THE NATIONAL HISTORIC PRESERVATION  
6 ACT.—Title II of the Act is amended by adding at the  
7 end the following new section:

8 **“SEC. 216. EFFECTIVENESS OF FEDERAL GRANT AND AS-**  
9 **SISTANCE PROGRAMS.**

10 “(a) COOPERATIVE AGREEMENTS.—The Council may  
11 enter into a cooperative agreement with any Federal agen-  
12 cy that administers a grant or assistance program for the  
13 purpose of improving the effectiveness of the administra-  
14 tion of such program in meeting the purposes and policies  
15 of this Act. Such cooperative agreements may include pro-  
16 visions that modify the selection criteria for a grant or  
17 assistance program to further the purposes of this Act or  
18 that allow the Council to participate in the selection of  
19 recipients, if such provisions are not inconsistent with the  
20 grant or assistance program’s statutory authorization and  
21 purpose.

22 “(b) REVIEW OF GRANT AND ASSISTANCE PRO-  
23 GRAMS.—The Council may—

24 “(1) review the operation of any Federal grant  
25 or assistance program to evaluate the effectiveness

1 of such program in meeting the purposes and poli-  
2 cies of this Act;

3 “(2) make recommendations to the head of any  
4 Federal agency that administers such program to  
5 further the consistency of the program with the pur-  
6 poses and policies of the Act and to improve its ef-  
7 fectiveness in carrying out those purposes and poli-  
8 cies; and

9 “(3) make recommendations to the President  
10 and Congress regarding the effectiveness of Federal  
11 grant and assistance programs in meeting the pur-  
12 poses and policies of this Act, including rec-  
13 ommendations with regard to appropriate funding  
14 levels.”.

Passed the Senate September 29, 2006.

Attest:

*Secretary.*

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